
A Bill (S. 1066) to Establish a Federal Commission on Services for the Physically Handicapped, and for Other Purposes, and Including an Explanatory Statement by Paul A. Strachan, President, American Federation of the Physically Handicapped

Remarks of
Hon. John J. Sparkman
of Alabama
in the
Senate of the United States
Friday, February 25, 1949

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REMARKS
OF
HON. JOHN J. SPARKMAN
OF ALABAMA

Mr. SPARKMAN. Mr. President, on behalf of the Senator from Georgia [Mr. GEORGE], the Senator from Utah [Mr. THOMAS], the Senator from Florida [Mr. PEPPER], the Senator from Colorado [Mr. JOHNSON], my colleague, the senior Senator from Alabama [Mr. HILL], the Senator from Arizona [Mr. McFARLAND], the Senator from North Carolina [Mr. HOEY], the Senator from South Carolina [Mr. JOHNSTON], the Senator from Pennsylvania [Mr. MYERS], the Senator from Rhode Island [Mr. McGRATH], the Senator from West Virginia [Mr. NEELY], the Senator from Minnesota [Mr. HUMPHREY], the Senator from Tennessee [Mr. KEFAUVER], the Senator from Maine [Mr. BREWSTER], the Senator from Vermont [Mr. AIKEN], the Senator from Oregon [Mr. MORSE], the Senator from Wisconsin [Mr. McCARTHY], and myself, I ask unanimous consent to introduce for appropriate reference a bill to establish a Federal commission on services for the physically handicapped.

The bill is the result of a long, evolutionary process, and incorporates many of the suggestions of experts and specialists who have testified before various congressional committees in recent years, including the House Labor Subcommittee To Investigate Aid to the Physically Handicapped, the Senate Subcommittee on War-Time Health and Education, and other hearings and

studies by the committees of Congress. The bill was formulated after consultations with representatives of many organizations, and represents, in my judgment, a needed, practical approach to solution of the very difficult problems of many of our 28,000,000 physically handicapped citizens. In its present form, the bill meets requirements which previous measures with which I have been associated, H. R. 5206, and S. 2896, upon hearings and study, indicated were necessary.

The principles of the bill have been strongly endorsed by many organizations and individuals representing business, industry, labor, veterans, farm, women, educational, civic, fraternal, scientific and professional and other groups, approximating representation of some 30,000,000 people. I urge the Congress to take early and favorable action upon this measure.

I ask unanimous consent that the bill, together with a statement by Mr. Paul A. Strachan, president of the American Federation of the Physically Handicapped, and an analysis of the bill, be printed in the RECORD.

The PRESIDENT pro tempore. Without objection, the bill will be received and appropriately referred, and, without objection, the bill, together with the statement and analysis will be printed in the RECORD.

There being no objection, the bill (S. 1066) to establish a Federal Commission on Services for the Physically Handicapped, to define its duties, and for other purposes, introduced by Mr. SPARKMAN (for himself, Mr. GEORGE, Mr. THOMAS of

Utah, Mr. PEPPER, Mr. JOHNSON of Colorado, Mr. HILL, Mr. McFARLAND, Mr. HOEY, Mr. JOHNSTON of South Carolina, Mr. MYERS, Mr. McGRATH, Mr. NEELY, Mr. HUMPHREY, Mr. KEFAUVER, Mr. BREWSTER, Mr. AIKEN, Mr. MORSE, and Mr. MCCARTHY), was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That there is hereby created and established an agency of the United States, to be known as the Federal Commission on Services for the Physically Handicapped, which shall administer the provisions of this act, and all activities outlined under the following titles:

TITLE I. PURPOSES

SEC. 101. The purposes of this act, in furtherance of the general welfare of the United States, are (a) to provide for maximum extension of medical services, education and training, vocational guidance, and full-employment opportunities to citizens handicapped by physical or mental disability; (b) to provide for a more effective coordination of the functions of the Federal Government relating to the rehabilitation and employment of the handicapped; (c) to establish a Federal Interagency Committee on Rehabilitation and Employment of Handicapped; (d) to establish a National Commission on Employment of Handicapped, composed of organizations and individuals outside of Government, to encourage employment of handicapped; (e) to provide for cooperative enterprises for the handicapped; (f) to provide financial grants to handicapped who are totally and permanently disabled; (g) to provide educational grants to handicapped who require home or special training; to establish the Federal Services to Handicapped Revolving Loan Fund, from which fund States may borrow money at such times as their own funds for vocational rehabilitation

are exhausted, and to appropriate an initial sum of \$10,000,000 for such revolving loan fund; (h) to establish a Division for Handicapped in the United States Civil Service Commission; (i) to promote public safety programs designed to eliminate and prevent conditions which tend to promote injuries and disease in public buildings, institutions, parks etc.; (j) to provide for reports on the handicapped from the United States Public Health Service, United States Bureau of Mines, United States Coast Guard, Interstate Commerce Commission, and Civil Aeronautics Administration, and other Federal agencies which may now receive, as a part of their functions, reports upon persons disabled through accidents or disease, and for other purposes.

TITLE II. ORGANIZATION

SEC. 201. The Federal Commission on Services for the Physically Handicapped (hereafter termed the Commission) shall be headed by an Administrator, who shall be appointed for a term of 4 years by the President, by and with advice and consent of the Senate. The Administrator shall be paid a salary of \$15,000 per annum, and, after consultation with the Advisory Committee on Affairs of the Handicapped (hereinafter described), is hereby authorized and directed to perform all duties, functions, and powers vested in him by this act. He shall have power to issue such rules and regulations as he may deem necessary to effectuate the purposes of this act, and to fix the pay of officials and employees in accordance with the Classification Act of 1923, as amended. He may also employ such specialists and consultants as may be required, without reference to civil-service laws. Whenever practicable, persons appointed shall be drawn from otherwise qualified, but physically handicapped applicants.

SEC. 202. The functions of the Federal Security Administrator, relating to vocational rehabilitation, and the Office of Vocational

Rehabilitation are hereby transferred to the Commission, together with all funds, personnel, and records. Hereafter the Office of Vocational Rehabilitation shall be abolished, and the Federal Commission on Services for the Physically Handicapped shall administer the Federal Vocational Training acts heretofore administered by the Office of Vocational Rehabilitation, retaining the present personnel of that agency, and maintaining the present relation with the States, with such additional functions as may be granted by this act.

SEC. 203. There is hereby established an Advisory Council on Affairs of the Handicapped, to be responsible to the Administrator in the formulation of administrative policies, and to advise him on any matters relating to promoting the purposes of this act. The Council shall consist of nine members, who shall be selected by the Administrator, as follows: Two to be chosen as representatives of the public; two, as representatives of employers; two, as representatives of bona fide labor organizations, and three who are themselves physically handicapped, from bona fide organizations of the physically handicapped. The Administrator shall be ex officio Chairman of the Advisory Council, which shall act in an advisory capacity to the Commission and shall meet not less than twice yearly or oftener, on call of the Chairman. Appointed members shall serve for a period of 3 years and shall be paid traveling and other necessary expenses, and a per diem of \$50 per day for each day of actual service.

SEC. 204. There is hereby established a Federal Interagency Committee on Rehabilitation and Employment of Handicapped, which shall comprise qualified representatives to be chosen by the heads of all Federal departments or agencies which now or in future may have a substantial and significant participation in activities dealing with problems of the handicapped.

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(a) The Administrator shall serve as chairman of the Federal Interagency Committee; shall prepare agendas therefor, and shall effectuate, insofar as may be possible, the programs and policies developed by the committee.

(b) The purpose of this committee shall be to develop and effectuate more economical and efficient methods for the administration of activities relating to the handicapped, and to perform and coordinate functions, including research, to develop advanced programs for the blind, deaf, hard of hearing, cardiacs, tuberculous, arthritics, epileptics, poliomyelitics, cerebral palsied, amputees, diabetics, and any other large or distinct group of handicapped, such programs to comprehend the following activities:

(2) To collect, tabulate, and make public statistics pertaining to the physically handicapped.

(3) To ascertain what fields of employment are available to the physically handicapped and make such information public at least once yearly.

(4) To acquaint employers in private industry with the special capabilities of the physically handicapped, and encourage their employment, where feasible and practicable, on an equal footing with the nonhandicapped.

(5) To cooperate with public and private agencies, organizations, and individuals, in the medical and vocational rehabilitation and placement in suitable employment of handicapped persons.

SEC. 205. There is hereby established a National Commission on Employment of Handicapped, to consist of organizations and individuals outside of the Federal Government, representing industry, business, labor, veterans, farm, women, welfare, educational, religious, civic, fraternal, scientific and professional, and other groups and individuals which, upon invitation of the Administrator, acting for the President of the United

States, may voluntarily cooperate in advancing employment of handicapped persons.

(a) This Commission shall have the right to establish its own rules of procedure and to designate, by proper election, its chairman and other officers, and the small staff required to carry on its work, as well as quarters, equipment, and so forth, shall be furnished by the Administrator.

(b) The sum of \$250,000, or such part as may be necessary, is hereby authorized to be appropriated each year, out of the Treasury, from moneys not otherwise appropriated, to carry on the work of this Commission on Employment of the Handicapped, and all funds shall be cleared through the Administrator of the Federal Commission on Services for the Physically Handicapped, upon proper certification by the duly elected head of the National Commission for Employment of the Handicapped.

TITLE III. COOPERATIVE ENTERPRISES FOR HANDICAPPED

Sec. 301. The sum of \$10,000,000 is hereby authorized to be appropriated, out of any moneys in the Treasury not otherwise appropriated, for the fiscal year 1950, and \$5,000,000 annually for each of the 5 years thereafter, for establishing and maintaining special industries for physically handicapped persons.

Sec. 302. Out of the foregoing sums, the Commission is authorized and empowered to make loans, through its State agencies and affiliates, to persons, corporations, States, Territories, or subdivisions or agencies thereof, and to limited dividend associate organizations organized under the laws of any State or Territory, for the purpose of financing work projects for physically handicapped persons, primarily drawn from the group regarded as "unfeasible for rehabilitation" who require special conditions of employment and training, such as is now afforded in a very limited way by various so-called handicapped persons' industries,

sheltered workshops, etc. No single loan shall exceed \$20,000, and not less than 25 percent in amount of all loans shall be granted in rural areas.

Sec. 303. Such loans shall be made on such terms and conditions as the Commission shall determine: *Provided*, That, except as provided in section 304, all loans shall be self-liquidating in not to exceed 25 years, and shall bear interest at a rate equal to the average rate payable by the United States on its obligations having maturity in 10 years or more after the dates thereof, issued during the last preceding fiscal year in which any such obligations were issued: *Provided further*, That no loans for the purchase, construction, enlargement, or operation of any plan shall be made without the consent of the State authority having jurisdiction in the premises first being obtained.

Sec. 304. The Commission is hereby authorized to make loans to finance projects which are not self-liquidating as provided in section 303, upon receiving the written findings of the Administrator that (1) such project cannot be operated at a profit, (2) any loss will be caused by the physical handicaps of the persons employed on the project, (3) such loss will not exceed per centum of the gross income of the project, (4) the persons employed on the project will derive substantial nonmonetary benefit therefrom, and (5) no other project has been found which is feasible for such person or persons and which will contribute to their well-being.

TITLE IV. GRANTS TO STATES FOR AID TO THE TOTALLY DISABLED, UNFEASIBLE FOR REHABILITATION.

Sec. 401. Appropriation:

For the purpose of enabling each State to furnish financial assistance to needy individuals who are physically or mentally handicapped to such a degree that they are certified by the State agency representing the Commission as being unfeasible for rehabil-

itation, there is hereby authorized to be appropriated for the fiscal year ending June 30, 1950, the sum of \$, and there is hereby authorized to be appropriated for each fiscal year thereafter a sum sufficient to carry out the purposes of sections 401-405 of this act. The sums made available under this section shall be used for making payments to States which have submitted, and had approved by the Commission, State plans for aid to the totally disabled.

SEC. 402. State plans for aid to the totally disabled:

(a) A State plan for aid to the totally disabled must (1) provide that it shall be in effect in all political subdivisions of the State, and, if administered by them, be mandatory upon them; (2) either provide for the designation or establishment of a single State agency to administer the plan, utilizing present State agencies for vocational rehabilitation, as provided for in section 202 of this act, or provide for the designation of a single State agency to supervise administration of the plan; (3) to provide for payment of \$60 per month to each individual certified by the State as totally and permanently disabled, unfeasible for rehabilitation, and without means of livelihood and support; (4) provide that the State, through appropriate agencies, subject to the regulations of the Commission shall at least once each year make a thorough medical examination of all nonfeasible cases to determine whether they are capable of rehabilitation; make a report of all cases found to be capable of rehabilitation to the Commission, discontinue payments to such cases and apply to them the regular processes of rehabilitation, pursuant to the act of June 2, 1920, case 219 (41 Stat. 735) as amended: *Provided*, That if any of such cases, determined to be potentially capable of rehabilitation, after treatment or training are found to be incapable of taking care of themselves or earning their own living, then, upon exami-

nation and certification by the States' agency or agencies representing the Commission, the State shall re-enter such unfeasible cases upon its registers and the monthly payment of \$60 shall be immediately issued; (5) provide for granting to any individual whose claim for aid is denied an opportunity for a fair hearing before such State agency; (6) provide such methods of administration (including methods relating to the establishment and maintenance of personnel standards on a merit basis, except that the Commission shall exercise no authority with respect to the selection, tenure of office, and compensation of any individual employed in accordance with such methods) as are found by the Commission to be necessary for the proper and efficient operation of the plan; (7) provide that the State agency will make such reports in such form and containing such information as the Commission may, from time to time require, and comply with such provisions as the Commission may, from time to time find necessary to assure the correctness and verification of such reports; (8) provide that the State agency shall, in determining need, take into consideration any other income and resources of an individual claiming aid to the totally disabled; (9) provide safeguards which restrict the use or disclosure of information concerning applicants and recipients to purposes directly connected with the administration of aid to the totally disabled.

(b) The Commission shall approve any plan which fulfills the conditions specified in subsection (a), except that it shall not approve any plan which imposes, as a condition of eligibility for aid to the totally disabled under the plan—

(1) any residence requirement which excludes any resident of the State, who has resided there for 1 year immediately preceding the application; or

(2) any citizenship requirement which excludes any citizen of the United States.

(c) The lack of requirement in this title for financial participation by the States in plans for aid to the totally disabled shall not preclude individual States from paying additional benefits to such persons, nor shall applicants for such aid to the totally disabled be debarred from applying for, or receiving other benefits, if such are necessary and justified to provide living expenses, medical costs, care by attendants, and so forth.

SEC. 403. Payments to States:

(a) From the sums appropriated therefor, the Secretary of the Treasury shall pay to each State which has an approved plan for aid to the totally disabled, for each quarter, beginning with the quarter commencing -----, (1) an amount, which shall be used exclusively as aid to the totally disabled, equal to the multiple of \$60 times the number of monthly payments made during each quarter to individuals certified by the State agency representing the Commission, pursuant to section 402 (not including any individual who had been reported by the State to the Commission as capable of rehabilitation unless such individual has been subsequently found to be incapable of rehabilitation) and (2) an amount equal to the total of the sums expended during such quarter as found necessary by the Commission for the proper and efficient administration of the State plan, which shall be used for paying the costs of administering the State plan or for aid to the totally disabled, or both, and for no other purposes.

(b) the method of computing and paying such amounts shall be as follows:

(1) The Commission shall, prior to the beginning of each quarter, estimate the amount to be paid to the State for such quarter under the provisions of subsection (a), such estimate to be based on (A) a report filed by the State containing its estimate of the total sum to be expended in such quarter in accordance with the provisions of such subsection, and stating the amount appro-

priated or made available by the State and its political subdivisions for such expenditure in such quarter, and if such amount is less than the State's proportionate share of the total sum of such estimated expenditures, the source or sources from which the difference is expected to be derived, (B) records showing the number of handicapped individuals in the State, and (C) such other investigation as the Administrator may find necessary.

(2) The Commission shall then certify to the Secretary of the Treasury the amount estimated by the Commission, (A) reduced or increased, as the case may be, by any sum which he finds that his estimate for any prior quarter was greater or less than the amount which should have been paid to the State under subsection (a) for such quarter, and (B) reduced by a sum equivalent to the pro rata share to which the United States is equitably entitled, as determined by the Commission, of the net amount recovered during a prior quarter by the State or any political subdivision thereof with respect to aid to the totally disabled furnished under the State plan; except that such increase or reduction shall not be made to the extent that such sums have been applied to make the amount certified for any prior quarter greater or less than the amount estimated by the Commission for such prior quarter: *Provided*, That any part of the amount recovered from the estate of a deceased recipient which is not in excess of the amount expended by the State or any political subdivision thereof for the funeral expenses of the deceased shall not be considered as a basis for reduction under the clause (B) of this paragraph.

(3) The Secretary of the Treasury shall thereupon, through the Fiscal Service of the Treasury Department, and prior to audit or settlement by the General Accounting Office, pay to the State at the time or times fixed by the Administrator the amount so certified.

Sec. 404. Change in or failure to comply with plans; stopping payments:

In the case of any State plan for aid to the totally disabled which has been approved by the Commission, if the Commission, after reasonable notice and opportunity for hearing to the State agency administering or supervising the administration of such plan, finds that in the administration of the plan there is a failure to comply substantially with any provisions required by section 402 of this act to be included in the plan, or that the plan has been so changed or administered as to impose any residence or citizenship requirement prohibited by section 402 (b). The Commission shall notify such State agency that further payments will not be made to the State until the Commission is satisfied that such prohibited requirement is no longer so imposed, and there is no longer any such failure to comply. Until he is so satisfied the Administrator of the Commission shall make no further certification to the Secretary of the Treasury with respect to such State.

Sec. 405. The Commission, upon compilation of reports received from State agencies administering this program, shall report to the President and to the Congress each year upon the number and type of unfeasible cases, and the disposition made thereof.

TITLE V. EDUCATIONAL GRANTS FOR UNFEASIBLE CASES

Sec. 501. There is hereby authorized to be appropriated, out of any moneys in the Treasury not otherwise appropriated, the sum of \$5,000,000 for the fiscal year 1950, and \$2,000,000 annually, thereafter, and from the amounts hereunder appropriated, the Commission is authorized and empowered, through its State agencies, to make outright grants to local nonprofit educational groups, including local school boards providing special services to handicapped, organized with the objective of affording a means of teaching and training physically handi-

capped persons, commonly known as shut-ins, whose disabilities confine them to their homes, or beds. Grants shall be made pro rata on the basis of population: *Provided*, That not less than 25 percent of all grants in any fiscal year shall be made to groups located in rural areas.

TITLE VI. FEDERAL SERVICES TO HANDICAPPED REVOLVING LOAN FUND

Sec. 601. There is hereby established the Federal Services to Handicapped Revolving Loan Fund, which, upon application by States, shall provide loans to States at such times as State funds for vocational rehabilitation are exhausted, to replenish such State funds for vocational rehabilitation and enable such work to be carried on without interruption.

(a) Loans shall be made on pro rata basis of population, and not less than 25 percent of such loans must be used by States obtaining loans for vocational rehabilitation, in rural areas.

(b) The sum of \$10,000,000 is hereby authorized to be appropriated out of the Treasury, from funds not otherwise appropriated, to establish said fund, and loans may be made from the fund by the States immediately after the fiscal year beginning July 1, 1949.

(c) States obtaining such loans shall pay interest at the rate of 2 percent per annum to the Federal Government, to amortize cost of operation of the revolving loan fund.

(d) States subscribing to such loans shall repay, in full, within 30 days after adjournment of State legislatures which have met following consummation of such loans.

(e) The fund shall be administered by the Administrator of the Federal Commission on Services for the Physically Handicapped, under such rules and regulations as he may prescribe.

(f) The Administrator is hereby authorized and directed to appoint such staff and assistants as may be required to operate the

fund, and report, in detail, upon operation of the fund, including a statement of all receipts and disbursements, to the President and to Congress, at the beginning of each regular session of the Congress.

TITLE VII. UNITED STATES CIVIL SERVICE COMMISSION

SEC. 701. There is hereby established in the United States Civil Service Commission a Division for the Physically Handicapped, with a chief, and such staff as may be required. It shall be the duty of the Division to deal with problems attendant upon the recruitment, examination, and appointment of physically handicapped applicants for employment in the Federal civil service. It is declared to be the policy of the Congress that no citizen, otherwise qualified, shall be denied the right to examination and appointment, by reason of physical disability.

SEC. 702. The expense of the operation and administration of the Division for the Physically Handicapped shall hereafter be included in the regular appropriations for the Civil Service Commission. Such sums as are necessary for the establishment and operation of the Division are hereby authorized to be appropriated.

TITLE VIII. AID TO THE BLIND

SEC. 801. Operations under this act shall continue present aids to blind, through commissions, bureaus, or divisions for blind now established. Benefits now received by the blind shall not prejudice nor debar the blind from seeking or receiving such additional benefits as may be made available under this act, nor shall anything in this act be construed as abolishing or limiting any benefits now received by the blind.

TITLE IX. PROMOTION OF PUBLIC-SAFETY PROGRAMS

SEC. 901. The Commission is authorized and directed to cooperate with all Federal agencies in devising and arranging proper safeguards to life and limb in public build-

ings, public institutions, and public parks, and assisting in the development of programs to eliminate conditions tending to promote disease or cause injury, on Federal properties.

(a) The Commission shall collaborate and cooperate with the Public Buildings Administration, and assist in planning proper assignments of safety engineers and sanitary engineers, who may, with the consent of the agency having jurisdiction, at the direction of the Public Buildings Administration, inspect and report on any and all buildings used by the Federal Government.

(b) The Commission may also cooperate with the American Institute of Architects and other interested groups and individuals, with a view to having public and other buildings constructed or remodeled, with ramps, in addition to stairs and/or elevators, and with railings to facilitate the free and safe movement of lame and crippled persons.

TITLE X. REPORTS ON HANDICAPPED FROM FEDERAL AGENCIES

SEC. 1001. The United States Public Health Service, United States Bureau of Mines, United States Coast Guard, Interstate Commerce Commission, Civil Aeronautics Administration, and other Federal agencies which may now receive, as a regular part of their functions, reports upon persons disabled through accidents or disease, in local, State, or regional epidemics of disease, or in disasters in mines, sinking or disabling of ships, railroad accidents, aviation crashes, shall transmit to the Federal Commission on Services for the Physically Handicapped a report upon such epidemics, or accidents, and, as far as may be possible or practicable, submit the names and addresses of those severely disabled by reason of such epidemics or accidents, as soon after such occurrences as may be possible.

TITLE XI. GENERAL PROVISIONS

SEC. 1101. The term "States," as used in this act, means any of the States of the

Union; also Alaska, Hawaii, Puerto Rico, Virgin Islands, and the District of Columbia.

SEC. 1102. For the purpose of administering this act and for the purpose of making the investigations, studies, publications, and reports herein provided for, including cost of personal services in the District of Columbia, and elsewhere, stenographic recording and translating services, including such services rendered on a contractual basis, without regard to section 3709 of the Revised Statutes; traveling expenses for attendance at meetings when specifically authorized by the Administrator, supplies and equipment, purchase and exchange of medical and reference books, directories, periodicals, newspapers, and press clippings; purchase, operation, and maintenance of motor-propelled vehicles; printing and binding (in addition to that otherwise provided by law), and for all other necessary expenses in carrying out the provisions of this act, there are hereby authorized to be appropriated for each fiscal year such sums as the Congress may determine to be necessary.

SEC. 1103. The provisions of this act shall not apply and the Government shall not be liable for claims in the cases of persons who are adequately provided for financially, by means such as the following:

- (1) Recovery of large amounts on suits for damages in personal-injury cases.
- (2) Payment of special compensation for injury or disease, covered by State laws, or by special Federal enactment.
- (3) Other conditions under which disabled persons are provided adequate compensation and assistance.

SEC. 1104. If any provision of this act, or the application thereto to any person or circumstance is held invalid, the remainder of the act, and the application of such provisions to other persons and circumstances shall not be affected thereby.

SEC. 1105. This act shall be known as the "Federal Aid to the Physically Handicapped Act."

SEC. 1106. All laws or parts of laws in conflict with this act are hereby repealed.

SEC. 1107. This act shall be effective 90 days after date of enactment.

The statement and analysis of the bill presented by Mr. SPARKMAN were ordered to be printed in the RECORD, as follows:

STATEMENT OF PAUL A. STRACHAN, PRESIDENT, AMERICAN FEDERATION OF THE PHYSICALLY HANDICAPPED, INC., ON THE BILL TO ESTABLISH A FEDERAL COMMISSION ON SERVICES FOR THE PHYSICALLY HANDICAPPED

How many of our citizens are physically handicapped? No one knows the exact number, but, selective service rejected one out of three, in the draft, and it should be considered that these were in the age limits of from 18 to 45, and, thus, presumably persons in the prime of life.

A summary of testimony of experts appearing before the House Committee To Investigate Aid to the Physically Handicapped, of which Hon. AUGUSTINE B. KELLEY, Pennsylvania, was chairman, estimated a total of not less than 38,000,000 of our people, in some degree physically disabled. The Retraining and Reemployment Administration, under Maj. Gen. Graves B. Erskine, USMC, Administrator, conservatively estimated at least 28,000,000.

This poses a tremendous question for every citizen, "What are we doing to enable our millions of handicapped to be rehabilitated and placed in suitable employment?" The problems and difficulties of these millions of disabled citizens are growing more acute each day. These are specialized problems which can only be dealt with successfully, by specialists in a specialized way. Hence, it is time for the Federal Government to take leadership in this field by establishing a Federal Commission on Services for the Physically Handicapped, to function solely in their interest.

Administration of such an agency should be independent of other phases of Govern-

ment activity, although, of course, it should be properly based where its functions are understood and given sympathetic consideration. The President, the Congress, the public, and particularly the handicapped themselves are entitled to know what is being done for the disabled; by whom it is being done; the cost, and the results. Today, agencies dealing with these matters are scattered widely; they have little or no coordination and there is bound to be duplication of effort and consequent waste of time and taxpayers' money, to say nothing of the fact that present services, facilities, and personnel are wholly inadequate to the needs of the handicapped.

As cited, requirements of our millions of handicapped are growing more acute, each day, particularly those who are civilians, and they cannot be adequately dealt with on any other than a basis of special service. If the transportation interests are serviced in the Government by the Interstate Commerce Commission; banking interests by the Federal Reserve Board, Reconstruction Finance Corporation, and several other agencies; farmers and cattle raisers by the Department of Agriculture; working people by the Department of Labor; Veterans by the Veterans' Administration; those of road builders and construction groups by the Federal Works Agency, and many other special groups having their interests represented by special services of the Federal Government, then, in justice and equity, to say nothing of conservation of lives and human values, as well as strengthening the national security by improving the welfare of our people—the handicapped, who have no such services, and few real champions, are fully entitled to a special agency in their own interest—properly manned by experts, and equipped with facilities and means sufficient to do a real job, instead of merely scratching the surface, as is now the case.

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Rehabilitation is a meaningless term, because, only a few understand what it is supposed to mean, and because of the prevailing confusion as to the objectives it should accomplish. For example, to the physician or surgeon, it means, medical treatment, surgery, or therapy. To the educator, it means education and training, or retraining. To the vocational guidance expert, it means counseling, and, to the placement officer, it means, placement in suitable employment. To the handicapped, it is our experience that at least 80 percent of them do not know the meaning of the word rehabilitation, and consequently, it has no significance to them, or bearing upon their problems.

Therefore, to clarify and improve the understanding of the public, we propose changing the present Office of Vocational Rehabilitation to the Federal Commission on Services for the Physically Handicapped, so that all people, and especially the handicapped, themselves, who, after more than 30 years of attempting to sell the term to them, are still in ignorance of what rehabilitation stands for, will know exactly what the agency means, and what it is supposed to do for them.

Such a Commission would be able to cope more successfully with the multiple requirements of handicapped than any office or bureau. It should have independent powers because it will deal with many subjects heretofore not part of the rehabilitation concept but which are necessary if the job is to be done right.

After more than 30 years' observation, study, and practice in this field, we firmly believe passage of this bill to be essential to the proper development of a program for the handicapped, and, for the welfare of the Nation itself. We feel that Congress can thus express its long-publicized desire and intent to afford better services for the disabled, and by so doing, concentrate suffi-

cient of the present forty-odd activities under one head, so that better administration and more economy will produce greater results.

Obviously, Congress cannot be expected to be familiar with all details of a field which is now covered by these forty-odd Federal agencies, each of which has a part of the handicapped program. Neither is it the intent of this bill to arbitrarily uproot all of these agencies and pitch them into one pot, but rather, take one agency and build around it, and from time to time such agencies as are shown to be within its defined area could be properly integrated in the Commission until a well-proportioned whole is achieved. In one sense, the proposed Federal Commission is not a new agency, but simply, a present one, under a new name, and with adequate powers and means to deal with these great problems of the handicapped.

We stress that the Commission would provide important and necessary services which are not now provided, and because of their lack, make present operations of the program incomplete, awkward, and in many instances, wholly unworkable—all of which is a detriment to the Nation's welfare and particularly the welfare of the millions of handicapped who require such services.

TITLE I. PURPOSES

This briefly outlines the scope of the act.

TITLE II. ORGANIZATION

This outlines and defines the functions of the Commission and the administrator thereof. Under this title, it is pointed out that much of the present duplication and waste of effort and money could be eliminated, because the prime objective here is to coordinate many functions now scattered through various agencies. Also, present agencies lack requisite powers to educate the public, particularly employers, as to the value of handicapped as workers,

and this title confers such powers upon the proposed Commission.

This title transfers the functions of the Federal Security Administrator, relating to vocational rehabilitation, and the Office of Vocational Rehabilitation to the proposed Commission, and henceforth all Federal vocational rehabilitation acts shall operate under the Commission. The present staff of the Office of Vocational Rehabilitation would be retained, and the Federal-States relationship continue, as under the present law.

It establishes an Advisory Council on Affairs of the Handicapped, composed of experts in this field, as a policy-developing unit; the need for which is very clear.

It provides a base for, and outlines the functions of, the Federal Interagency Committee on Rehabilitation and Employment of Handicapped, as a coordinating body, to bring order out of the present chaos, wherein approximately 40 agencies go in different directions at the same time. The proposed commission is the logical place to coordinate such activities, and its composition would, doubtless, thus be the means of effectuating greater efficiency and economy in the operations of the various agencies involved.

It establishes a National Commission on Employment of Handicapped, to consist of representatives of national organizations and individuals, outside of Government, to function voluntarily, on a year-round basis, to encourage employment of handicapped. This would provide a necessary and logical base, for example, for the activities of the present "President's Committee on National Employ the Physically Handicapped Week," which has no present legal status and which should, logically, be based in the Commission. Since the "President's Committee on National Employ the Physically Handicapped Week" has no funds to project and expand educational campaigns to promote employment of handicapped, this provides a relatively small sum for that purpose.

TITLE III. COOPERATIVE ENTERPRISES FOR HANDICAPPED

The Congress should remedy the present situation, wherein submarginal public assistance to handicapped does not provide them means to live, be treated, and trained, so that they may earn their own living, and thus make substantial contributions to the national economy, if possible to do so, by learning trades or occupations, under conditions wherein their handicap is not a factor, or, at least, is properly evaluated and provided for.

Cooperative enterprises for handicapped offer great opportunities for such vitally needed functions. Among other activities they would permit establishment and operation of sheltered workshops, which are not a new concept, but, have already proven of great value in many respects. Yet, they are too limited in number, have inadequate facilities, personnel, and means, and in many instances lack proper business management. They offer a practical solution for the lack of training schools, as well as a means of affording income for otherwise capable, willing, and ambitious handicapped people, who have never had opportunity to earn a living, especially when pitted against nonhandicapped in our rigid, competitive employment system.

TITLE IV. GRANTS TO STATES FOR TOTALLY DIS- ABLED, UNFEASIBLE FOR REHABILITATION

Nearly 5 years ago, the Social Security Board estimated that there were, then, conservatively, 3,600,000 totally and permanently disabled people in the United States, and since that time, unquestionably, there has been a very material increase, and today's estimates would probably run to as high as 7,000,000 thus severely disabled. These, for the most part, are termed "unemployable, and nonfeasible for rehabilitation." Many of them are bedfast, confined to wheel chairs, or on crutches, and a considerable number are destitute and wholly dependent upon un-

certain charity to sustain even the barest necessities of life.

In the light of continued improvement in medicine, surgery, and therapeutics, as well as discovery and application of new drugs and new types of treatments, it is reasonable to believe that many such cases, rated unfeasible yesterday, or today, may, within a week, a month, or a year, or even longer, because of some new discovery, become entirely feasible of rehabilitation.

On the other hand, when only superficial medical examinations or treatment are given, or, because of the extremely serious condition of the patient, the expense of such treatments as might be given are deemed too expensive to be met under present budgets of rehabilitation and social agencies, as, no doubt, in many instances has been the case when the applicant is termed unfeasible, there is room for considerable margin of doubt, if not positive error, in such diagnosis and findings, and no medical examination should be accepted that is not thorough in every respect, and such examinations should be given at reasonably frequent intervals, as a means of proper determination, in any case.

The only practicable, just, and humane way to deal with this matter is, to see to it that such persons are afforded thorough diagnosis by qualified physicians, and, if the findings show such persons to be totally unfeasible for rehabilitation, then, if such persons are destitute, or wholly dependent upon others for livelihood, who, themselves, are unable to bear the expense of providing a living for such unfeasibles, then, such unfeasibles should be certified by the Commission as being wholly unemployable, and provided, initially, with a Federal grant—the modest sum of \$60 per month.

Operations under this title would act as a double check, most effectively, and would reveal, over the long run, a more accurate picture of the so-called shut-ins, and pro-

vide for their needs, however meagerly, by recognizing the Federal obligation to them, by a small grant, if they are disqualified for rehabilitation, and cannot support themselves.

Rehabilitation agencies would have the responsibility of periodically giving medical examination to such unfeasible cases, so that the real objective would be carried out—rehabilitation, and not grant, or pension, unless the latter is absolutely necessary. But, as an alternative, there would be provided a means of meeting, and routing, the fear of poverty, illness, and the misery of being wholly dependent upon others who lack means themselves, in the minds of destitute and totally disabled handicapped citizens.

Moreover, this would afford a means to put the Nation on record that, hereafter, the first consideration of its disabled shall be, to get them well, and back to work, if possible, rather than leave them to charity, in the guise of public assistance, or hold the false hope of pension in front of the noses of such handicapped people.

This title also provides an outline for States' participation, and administration thereof, and we strongly urge upon Congress the great need and desirability of approving this title.

TITLE V. EDUCATIONAL GRANTS FOR UNFEASIBLE CASES

Many handicapped, especially those in rural, sparsely settled areas, are denied access to educational facilities. In many cases, schools are located considerable distances from the homes of persons where, for example, there are handicapped children, and it is not practicable for such handicapped children, or even adults, to attend such schools.

This title provides a modest beginning on development of a great and essential program—that of teaching the home-bound handicapped. In the case of shut-ins, it would provide a godsend, indeed, as develop-

ment of this program, within the next few years would, doubtless, bring the priceless boon of all latest and most scientific means of learning, right to the bedside, by radio, motion pictures, television, sound recordings, etc.

TITLE V. FEDERAL SERVICES TO HANDICAPPED REVOLVING LOAN FUND

Under this title, there would be established a revolving loan fund, with an initial sum of \$10,000,000, from which States which have exhausted their own funds for vocational rehabilitation may borrow, so that this important work could be carried on without interruption.

Operations of the present Federal-State vocational rehabilitation system has shown that, periodically, under the stress of continually increasing applications for service therefrom, States frequently go broke, and are unable to give the full service to handicapped. Such a condition, today, exists in some 28 or more States, where, although administrative costs are paid, for officials and employees, very little or no real services to handicapped can be performed, for lack of other money.

Establishment of such a revolving loan fund is, therefore, a necessity, if the program is not to be subjected to continual break-downs for lack of money at critical times.

TITLE VII. UNITED STATES CIVIL SERVICE COMMISSION

Growing requirements of Civil Service, dealing with physically handicapped people, necessitates establishing a regular division within the Civil Service Commission for that express purpose. The expense would be nominal; examination and placement facilitated; the effects far-reaching and beneficial, and operations under this title would implement the declaration of congressional policy, exemplified in H. R. 4236 (80th Cong., 2d sess.) which provides that no handicapped person,

otherwise qualified, shall be denied examination or appointment to positions for which they may be fitted.

TITLE VIII. AID TO THE BLIND

This continues and expands present assistance and rehabilitation to the blind. It provides additional means of training, over the present set-up, of which blind may avail themselves, if they so desire.

TITLE IX. PROMOTION OF PUBLIC SAFETY PROGRAMS

This title provides for collaboration and cooperation with Federal and private agencies, to develop inspection services not now in general use, but, badly needed, both from the standpoint of conserving the health of employees of the Government, and the public using Government buildings, but, actually saving money for the Government by eliminating causes of accident and disease to Federal workers and others.

It is manifest that the Federal Government should take steps immediately to prevent accident, or disease, in the erection or reconditioning of buildings, institutions, and parks, and the equipping thereof, to provide such safeguards as may be necessary, upon recommendation of qualified safety and sanitary engineers and other specialists at interest.

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TITLE X. REPORTS ON HANDICAPPED FROM FEDERAL AGENCIES

With but rare exceptions, diseases and accidents, leading to physical handicap, are not static, but dynamic. They get better, or worse, as the case may be, but they should be immediately treated, if the individual is to have a fair chance of full recovery.

Unquestionably, it would expedite these matters if Federal agencies at interest, the Public Health Service, Bureau of Mines, Coast Guard, Interstate Commerce Commission, Civil Aeronautics Board, and other Federal agencies, would provide full reports to the Commission as soon as such accidents or diseases occur, so that no time would be lost in getting remedial activities under way. Such agencies already receive such reports from their field staffs, and there is no good reason why the field representatives of the Commission could not, after such reports had been transferred to them, make investigation to determine whether the Commission's services could and/or should be utilized advantageously.

TITLE XI. GENERAL PROVISIONS

This title provides for the appropriations which may be necessary to operate the Commission, shows what type of persons would not be eligible for the benefits administered by the Commission, etc.